

GOVERNMENT OF TALANGANA
ABSTRACT

T.S. Forest Conservation Act – Diversion of 3.37 Ha of forest land in Compt.No.431 & 432 of Mudwin Reserve Forest of Mahabubnagar Division & District for providing BT road on RF Cherikonda to Palleshelka Thanda, in favour of Executive Engineer, PIU Division, Mahabubnagar. – Final (stage-II) approval – Accorded.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O.Ms.No. 12

Dated: 12-03-2019
Read the following:-

1. From PCCF (HoFF), A.P., Hyd., Lr.Rc.No.34794/2010-F3, Dated:28.09.2012.
2. Govt. Letter No.7370/For.I (1)/2012, EFS&T (For.I) Dept. Dt.26.02.2013.
3. From Govt. of India, MoEF, Bangalore F.No.4-APB938/2013-BAN/3359, Dt.30.04.2013.
4. From PCCF (HoFF), T.S., Hyd., Lr.Rc.No.34794/2010-FCA2/, Dated:21.04.2018.
5. Govt. Letter No.7370/For.I (1)/2012, EFS&T (For.I) Dept., Dated:21.05.2018.
6. From Govt. of India, MoEF&CC, Chennai F.No.4-APB938-2013BAN/0221, Dt:08.02.2019.

ORDER

In his letter 1st read above, the Principal Chief Conservator of Forests (HoFF), T.S. Hyderabad has furnished a proposal for diversion of 3.37 Ha of forest land in Compt.No.431 & 432 of Mudwin Reserve Forest of Mahabubnagar Division & District for providing BT road on RF Cherikonda to Palleshelka Thanda, in favour of Executive Engineer, PIU Division, Mahabubnagar.

2. The Ministry of Environment, Forests & Climate Change, Government of India, Chennai in the letter 3rd read above have granted in-principle (Stage-I) approval of the proposal forwarded vide letter 2nd read above, subject to fulfillment of the conditions stipulated thereof.

3. In the letter 5th read above, Government of Telangana have sent the report of compliance on the conditions stipulated by Government of India, as submitted by the Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad in his letter 4th read above, to the Ministry of Environment, Forests & Climate Change, Chennai for according necessary approval.

4. In their letter 6th read above, the Central Government have granted final approval for the proposal in para 1 above, under Section 2 of the Forest (C) Act, 1980, subject to fulfillment of the conditions stipulated therein.

5. Accordingly, Government hereby accord **final (Stage-II)** approval for diversion of 3.37 Ha of forest land in Compt.No.431 & 432 of Mudwin Reserve Forest of Mahabubnagar Division & District for providing BT road on RF Cherikonda to Palleshelka Thanda, in favour of Executive Engineer, PIU Division, Mahabubnagar under section-2 of the Forest Conservation Act, 1980, subject to fulfillment of the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) The State Forest Department shall carry out demarcation of the diverted forest area by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters from the amount which has already been realized from the User Agency;

(PTO)

- (iii) The State Forest Department shall carry out Compensatory Afforestation (CA) and its maintenance over an extent of 3.37 Ha (out of 4.4766 Ha) of non-forest area in Sy. No.158 of Polkapahad Village of Gopalapet Mandal from the amount which has already been realized from the User Agency;
- (iv) In compliance report it has been reported that an area of 3.37 Ha out of 4.4766 Ha identified for CA purpose has been mutated in favour of Forest Department. The identified and mutated area of 3.37 Ha shall be properly demarcated and fenced for protection;
- (v) Non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification to this office for information and record;
- (vi) The non forest land identified for CA and the approved CA scheme shall not be changed without the prior approval of the Central Government and the State Forest Department shall ensure that the amount realized from the User Agency towards CA should not be left unspent. Revised CA scheme estimated at Rs.96.162 lakhs shall be furnished to this office for record purpose;
- (vii) Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency;
- (viii) The User Agency shall endeavor to avoid felling of trees existing on the forest land proposed to be utilized. Wherever necessary, the trees should be felled under the strict supervision of the DFO/FDO concerned;
- (ix) Wherever feasible the State Forest Department shall carry out translocation of trees instead of resorting to felling, at the cost of the User Agency;
- (x) The User Agency shall construct retaining walls and check walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
- (xi) Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;
- (xii) The dug out material / overburden shall be dumped outside the forest area, Storage of any material shall not be done in the forest area proposed;
- (xiii) The User Agency shall arrange to raise strip plantation on either side of the road at the project cost and maintain the same for 7-10 years;
- (xiv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xv) The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;

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- (xvi) Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;
- (xvii) The total forest area utilized for the project shall not exceed 3.37 Ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect;
- (xviii) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;
- (xix) User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
- (xx) Any other conditions that the Central Government or Addl. PCCF (Central) of Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;
- (xxi) In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

6. The Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Principal Chief Conservator of Forests (HoFF),
Telangana State, Hyderabad.

Copy to:

The Executive Engineer,
PIU Division, Mahabubnagar District.

The Addl. Prl. Chief Conservator of Forests (C),
Government of India,
Ministry of Environment, Forests & Climate Change,
Regional Office (South Eastern Zone),
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai – 600034.
SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER